

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JAMES H. JACOBS, AS TRUSTEE OF  
THE JAMES H. JACOBS TRUST, and  
HARRIS, N.A., AS TRUSTEE OF THE  
ESTATE OF WARREN CASEY, ON BEHALF  
OF THEMSELVES AND OTHERS SIMILARLY  
SITUATED,

ORDER

06 Civ. 0606 (DAB)

Plaintiffs,

-against-

CARNIVAL CORPORATION, CARNIVAL  
CRUISE LINES, CARNIVAL PLC,  
CELEBRITY CRUISES, INC., HOLLAND  
AMERICA LINE, INC., PRINCESS CRUISE  
LINES, LTD., ROYAL CARIBBEAN  
CRUISES, LTD., and JOHN DOES 1  
through 100,

Defendants.

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DEBORAH A. BATTS, United States District Judge.

On March 25, 2009, the Court dismissed Plaintiffs' original Complaint in this matter with leave to replead, finding that Plaintiffs had failed to satisfy the pleading requirements for copyright infringement, and directing Plaintiffs in their Amended Complaint "to provide enough detail about Defendants' allegedly infringing acts and activities, including the time period and place in which they are alleged to have occurred, to provide a sufficient basis for maintaining" Plaintiffs' claims in this Court.

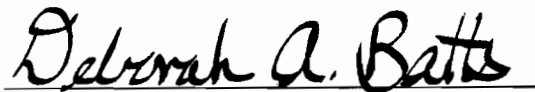
On April 27, 2009, Plaintiffs filed a First Amended Complaint. On March 1, 2010, the Court GRANTED Defendants'

Motions to Dismiss the First Amended Complaint, finding that Plaintiffs had not made the required showing in their amended pleading that any of the allegedly infringing performances took place within the jurisdictional waters of the United States. The Court afforded Parties 90 days from the date of that Order to complete discovery limited to that issue, and referred the case to Magistrate Judge James C. Francis for supervision of discovery. The Court Ordered that if Plaintiffs intended to file a Second Amended Complaint, they must do so within 120 days of the date of that Order, or by June 29, 2010. The Court warned Plaintiffs that failure to file a Second Amended Complaint within that time would result in the case being dismissed with prejudice.

As Plaintiffs have not filed a Second Amended Complaint in this matter, the case is hereby DISMISSED WITH PREJUDICE. The Clerk of Court is directed to close the docket in this case.

SO ORDERED.

Dated: New York, New York  
August 20, 2010

A handwritten signature in black ink, reading "Deborah A. Batts", written over a horizontal line.

Deborah A. Batts  
United States District Judge